

Appl. No. 10/823,101

Amdt. Dated September 29, 2005

Reply to Office action of June 29, 2004

Amendments to the Drawings:

The attached drawing sheets include an annotated sheet and a replacement sheet, both relating to changes made to FIG. 6. In FIG. 6, the previously incorrectly illustrated cylindrical body 31 and the previously omitted railway 36 have been corrected.

Attachments:

Replacement Sheet

Annotated Sheet (showing changes)

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REMARKS

Claims 1, 3-5, 8, 10-11 and 18-20 have been amended. Claims 2, 7, 9, 16 and 21 have been canceled. Claims 22-26 are newly added. Assuming that the newly added claims are entered, claims 1, 3-6, 8, 10-15, 17-20 and 22-26 are pending in the application.

New claims 22-26 are introduced to conform the claimed subject matter to the embodiment of the present invention as shown in drawing FIGS. 1-7, respectively. Therefore, applicants assert that no new matter is added.

Drawings

In the Office action, regarding figure 6, it is stated that the sectional view does not correctly show a railway in the inner surface of the cylinder, and that the figure causes confusion between the roller and the locator.

In response to this objection, appropriate corrections have been made to figure 6, as detailed above. It is believed that the objection is now overcome.

Claim Rejections under 25 U.S.C. 112

Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response to this rejection, applicant has amended independent claims 1, 11 and 20, and has canceled claims 7, 17 and 21. This has been done, inter alia, in order to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claim 1, "a beam fixed with the display" has been amended appropriately. Applicant submits that it is now clear that a hinge device is being claimed. Claim 1 recites in part "the railway defines at least two points thereon locating in two different planes perpendicular to an axial direction of the shaft." It is believed that this defines a clear structure of the railway, in order to "cause the rotor to move in said axial direction of the shaft," as also recited in the claim.

Regarding claim 11, the first recitation of "a base" describes an element of the claimed subject matter, and the following recitation of "a base" has been corrected to "the base." "[W]ith the first member" has been corrected to "with the first rotating member." "[A] direction parallel to the base" and "a direction perpendicular to the base" have in essence been amended to "said first axis" and "said second axis," which axes are now clearly defined earlier in the body of the claim.

Regarding claim 20, "a second engagement device defining along said vertical axis" has been amended to "a second engagement device defined thereon." It is submitted that the relevant subject matter is now clearly described. "[T]hird and fourth part" has been amended to "the base and the display." It is submitted that these claimed structures can be clearly understood having regard to the recitations of "a base" and "a display" which are now provided earlier in the body of the claim.

Accordingly, it is submitted that claims 1, 3-6, 8, 10-15 and 17-20 are now definite, and that these claims particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections under 35 U.S.C. 102

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Claims 1, 2 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Coombs (1,374,437).

In response to this rejection, applicant has amended independent claims 1 and 20 by adding more limitations therein, in order to define these claims over the prior art cited by Examiner.

Amended claim 1 includes the substance of all the limitations of original claim 7. In the Office action, claim 7 was stated to be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, 2nd paragraph, and to include all the limitations of the base claim and any intervening claims. Applicant refers to and relies on the above assertions regarding claim 1 and the rejection thereof under 35 U.S.C. 112, 2nd paragraph. Accordingly, it is submitted that amended claim 1 is patentable.

Regarding claim 20, one of the first engagement device and the second engagement device defines a plurality of flutes thereat surrounding said vertical axis to position the other of the first engagement device and the second engagement device in a selected one of the flutes. Coombs fails to disclose the *flutes*, and cannot "position the other of the first engagement device and the second engagement device in a selected one of the flutes." Accordingly, the present invention recited in amended claim 20 is very different from that of Coombs, and is novel over this reference. Further, it is submitted that a person of ordinary skill in the art could not have derived the hinge device of the present invention from a consideration of Coombs. That is, claim 20 is submitted to be unobvious over this reference and therefore patentable.

Claims 11, 12, 16, 20 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiba (US2005/0055806A1).

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In response to this rejection, applicant submits that Shiba does not constitute valid prior art in relation to the present invention.

The present application claims foreign priority based on a filing of an application for patent in Taiwan on April 11, 2003. Therefore the date of invention of the present invention is April 11, 2003 or earlier. The effective date of Shiba as a reference is the date of filing of the application for patent at the Office; that is, July 30, 2004. Therefore the date of invention of the present invention antedates the effective date of Shiba, and Shiba does not qualify as a reference under 35 U.S.C. 102(e). Accordingly, removal of the rejection in relation to pending claims 11, 12, and 20 is respectfully requested.

In summary, independent claims 1, 11 and 20 are submitted to be patentable under 35 U.S.C. 112, 2nd paragraph, claim 1 is submitted to represent allowable subject matter, and claim 20 is submitted to be patentable over Coombs under both 35 U.S.C. 102(b) and 35 U.S.C. 103. Accordingly, the corresponding pending dependent claims should also be patentable since they include all limitations of the respective independent claims.

Allowable Subject Matter

Claims 3-10, 13-15 and 17-19 are stated to be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in the Office action and to include all of the limitations of the respective base claims and any intervening claims.

As detailed above, applicant has amended independent claim 1, which is asserted to now be in a condition for allowance. Accordingly, on this basis, claims 3-6, 8 and 10 should also be allowable.


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As detailed above, applicant has amended independent claim 11, which is asserted to now be in a condition for allowance. Pending claims 12-15 and 17-19 all depend on claim 11. Accordingly, claims 12-15 and 17-19 should also be allowable.

As detailed above, applicant has amended independent claim 20, which is asserted to now be in a condition for allowance. Pending claims 22-26 all depend on claim 20. Accordingly, claims 22-26 should also be allowable.

In view of the above claim amendments and remarks, the subject application is believed to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,
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Annotated Sheet

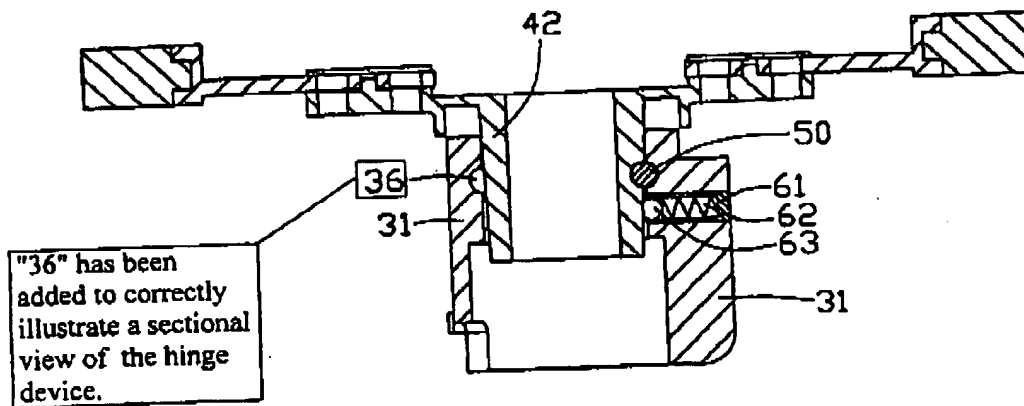


FIG. 6

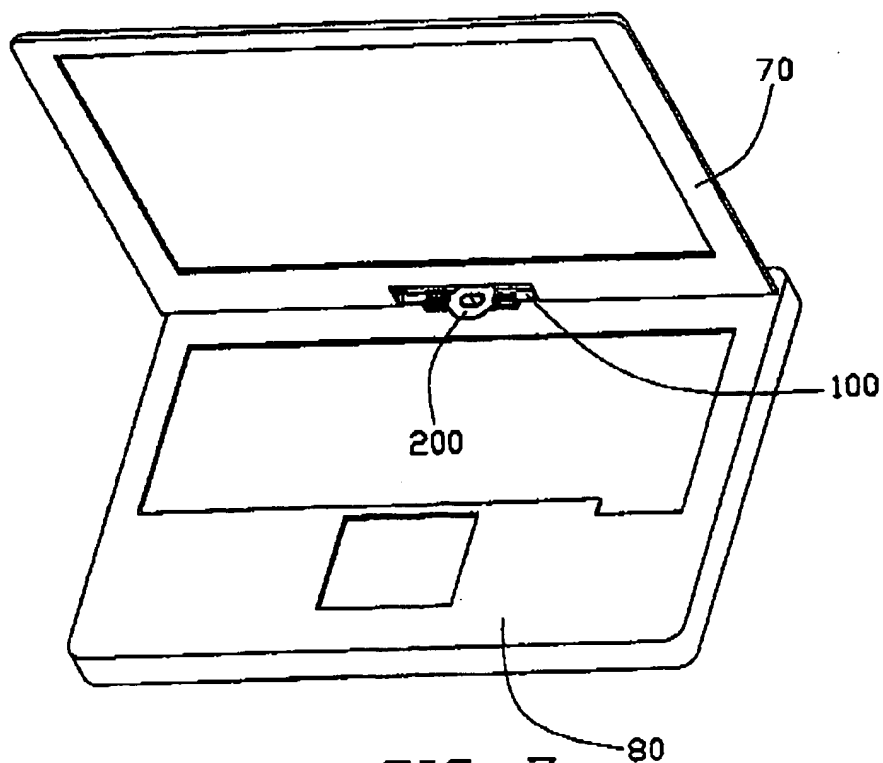


FIG. 7